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**OCT 11 2007**

**OFFICE OF PETITIONS**

In re Application of Kayser	:	
Application No. 09/882,007	:	Decision on Petition
Filing Date: June 15, 2001	:	
Attorney Docket No. 2110/12/99	:	

This is a decision on the petition under 37 CFR 1.181, filed June 8, 2007, and supplemented July 2, 2007, to withdraw the holding of abandonment.

The petition is **granted**.

A non-final Office action was mailed November 17, 2006. The Office action set a three (3) month shortened statutory period for reply.

A Notice of Abandonment was mailed June 1, 2007.

Petitioner contends a reply was timely filed in response to the November 17, 2006 Office action.

A review of the file indicates a reply to the non-final Office action has been matched with the file. The file indicates the Office physically received the reply on May 21, 2007.


The reply includes a proper Certificate of Mailing dated May 16, 2007, and payment for a three-month extension of time. Therefore, the reply was timely filed.

The Notice of Abandonment is hereby vacated and the holding of abandonment withdrawn.

The three-month extension of time payment was paid on May 21, 2007. The payment was resubmitted on June 8, 2007. The Office will schedule a refund of the duplicate payment of \$510.

Technology Center Art Unit 3692 will be informed of the instant decision and the examiner will review the papers filed on May 21, 2007, in due course.

Telephone inquiries regarding this communication should be directed to Petitions Attorney Steven Brantley at (571) 272-3203.

A handwritten signature in black ink, appearing to read 'CSB', is positioned above the printed name.

Charles Steven Brantley  
Senior Petitions Attorney  
Office of Petitions